



European Patent
Office

PARTIAL EUROPEAN SEARCH REPORT

Application Number

which under Rule 45 of the European Patent Convention EP 02 07 8745 shall be considered, for the purposes of subsequent proceedings, as the European search report

DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (Int.Cl.7)
E	EP 1 238 675 A (FUJI PHOTO FILM B V) 11 September 2002 (2002-09-11) * claims 1-6 * * paragraph '0061! * * paragraph '0055! *	1-6, 9-14	C07K14/78 A61K38/39 A61P7/08
D, Y	WO 01 34646 A (KIVIRIKKO KARI I ; NEFF THOMAS B (US); OLSEN DAVID R (US); CHANG RO) 17 May 2001 (2001-05-17) * claims 1-3, 22, 37, 56 * * page 12, line 28-33 *	1-15	
Y	US 3 057 782 A (JOSEF SCHMIDT-THOME ET AL) 9 October 1962 (1962-10-09) * claims 1, 10 *	1-15	
			TECHNICAL FIELDS SEARCHED (Int.Cl.7)
			C07K
INCOMPLETE SEARCH			
<p>The Search Division considers that the present application, or one or more of its claims, does/did not comply with the EPC to such an extent that a meaningful search into the state of the art cannot be carried out, or can only be carried out partially, for these claims.</p> <p>Claims searched completely:</p> <p>Claims searched incompletely:</p> <p>Claims not searched:</p> <p>Reason for the limitation of the search:</p> <p>see sheet C</p>			
Place of search		Date of completion of the search	Examiner
THE HAGUE		27 February 2003	Lechner, O
CATEGORY OF CITED DOCUMENTS			
<p>X : particularly relevant if taken alone</p> <p>Y : particularly relevant if combined with another document of the same category</p> <p>A : technological background</p> <p>O : non-written disclosure</p> <p>P : intermediate document</p>		<p>T : theory or principle underlying the invention</p> <p>E : earlier patent document, but published on, or after the filing date</p> <p>D : document cited in the application</p> <p>L : document cited for other reasons</p> <p>& : member of the same patent family, corresponding document</p>	



Claim(s) searched incompletely:
1-7, 9-14

Reason for the limitation of the search:

Present claims 1-7 and 9-14 relate to proteins by reference to the following parameter(s):

- having colloid osmotic function
- molecular weight from 10 - 50 kDa / 15 - 25 kDa
- having an isoelectric point of less than 8 / 4-7 /
- the number of negatively charged amino acid residues at pH 8 in the ... protein, minus the number of positively charged amino acid residues at pH 8 in ... protein is at least 2, pref. at least 3
- protein is obtained by replacement of Gln - Glu and Asn - Asp

The use of these parameters in the present context is considered to lead to a lack of clarity within the meaning of Article 84 EPC. It is impossible to compare the parameters the applicant has chosen to employ with what is set out in the prior art. In addition, support within the meaning of Article 84 EPC and/or disclosure within the meaning of Article 83 EPC is to be found, however, for only a very small proportion of the proteins claimed. In the present case, the claims so lack support, and the application so lacks disclosure, that a meaningful search over the whole of the claimed scope is impossible. The lack of clarity is such as to render a meaningful complete search impossible.

Consequently, the search has been restricted to the specific molecules claimed in claims 8 and 15 as well as SeqID N 1-4.

ANNEX TO THE EUROPEAN SEARCH REPORT ON EUROPEAN PATENT APPLICATION NO.

EP 02 07 8745

This annex lists the patent family members relating to the patent documents cited in the above-mentioned European search report. The members are as contained in the European Patent Office EDP file on
The European Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

27-02-2003

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
EP 1238675 A	11-09-2002	EP 1238675 A1	11-09-2002
		WO 02070000 A1	12-09-2002
WO 0134646 A	17-05-2001	AU 1591701 A	06-06-2001
		AU 1593001 A	06-06-2001
		EP 1232181 A2	21-08-2002
		EP 1232262 A2	21-08-2002
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		WO 0134801 A2	17-05-2001
US 3057782 A	09-10-1962	NONE	